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Attorneys for Defendants Glenmark Generics Inc., USA
(formerly Glenmark Pharmaceuticals Inc., USA) and
Glenmark Pharmaceuticals Ltd.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SCHERING CORPORATION
and MSP SINGAPORE COMPANY LLC,

Plaintiffs,

v.

GLENMARK PHARMACEUTICALS INC.,
USA and GLENMARK PHARMACEUTICALS
LTD.,

Defendants.

Civil Action No. 07-cv-1334 (JLL)(ES)

FILED ELECTRONICALLY

**NOTICE OF MOTION FOR
GLENMARK'S MOTION FOR
SUMMARY JUDGMENT OF
INVALIDITY OF CLAIMS 1-5 AND
7-13 (DOUBLE PATENTING)**

Oral Argument Requested

To: Jason E. Halper, Esq.
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PLEASE TAKE NOTICE that on August 17, 2009, or as soon thereafter as counsel can be heard, the undersigned counsel for defendants, Glenmark Generics Inc., USA (formerly Glenmark Pharmaceuticals Inc., USA) and Glenmark Pharmaceuticals Ltd. (collectively, "Glenmark"), shall move before the Honorable Jose L. Linares, U.S.D.J., at the United States District Court for the District of New Jersey, M.L.K., Jr. Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, for entry of an Order granting Glenmark's Motion for Summary Judgment of Invalidity of Claims 1-5 and 7-13 (Double Patenting).

PLEASE TAKE FURTHER NOTICE that in support of this application, Glenmark shall rely upon Glenmark's Memorandum of Law in Support of Motion for Summary Judgment of Invalidity of Claims 1-5 and 7-13 (Double Patenting), the Declaration of George Hykal in Support of Glenmark's Motion for Summary Judgment with Exhibits and Glenmark's Statement of Material Facts Not in Dispute. A proposed Order is also submitted.

PLEASE TAKE FURTHER NOTICE that Glenmark requests oral argument.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 7.1, this motion may be deemed uncontested and the proposed form of Order may be signed by the Court unless responsive papers are timely filed and served in opposition to the relief sought.

Dated: July 8, 2009

s/ Liza M. Walsh
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